

**DRAFT PERMIT # 71416**

**PLACE ID # 16578**

**PERMITTEE:** Musket Corporation  
**FACILITY:** Musket-Winslow Terminal  
**PERMIT TYPE:** Class II Air Quality Permit  
**DATE ISSUED:**  
**EXPIRY DATE:**

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**SUMMARY**

This Class II air quality permit is issued to Musket Corporation, the Permittee, for the continued operation of the bulk fuel transfer terminal located at 1620 Coopertown Road, Winslow, Arizona. This is a renewal of Permit # 57895.

The facility receives gasoline, crude oil, and diesel by railcars, unloads to the storage tanks, and loads product into trucks for distribution. Vapors displaced from truck loading are collected and piped to the vapor combustion unit. The uncontrolled emissions from this facility are greater than the significance levels identified in A.A.C. R18-2-101.130. Therefore, a class II permit is required for this facility in accordance with A.A.C. R18-2-302.B.2.a.

This permit is issued in accordance with Arizona Revised Statutes (ARS) 49-426. It contains requirements from Title 18, Chapter 2 of the A.A.C. and Title 40 of the Code of Federal Regulations. All definitions, terms, and conditions used in this permit conform to those in the Arizona Administrative Code R18-2-101 et. seq. (A.A.C.) and Title 40 of the Code of Federal Regulations (CFR), except as otherwise defined in this permit.

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## **ATTACHMENT “A”: GENERAL PROVISIONS**

### **I. PERMIT EXPIRATION AND RENEWAL**

- A.** This permit is valid for a period of five (5) years from the date of issuance.  
[ARS § 49-426.F, A.A.C. R18-2-306.A.1]
- B.** The Permittee shall submit an application for renewal of this permit at least six (6) months, but not more than eighteen (18) months, prior to the date of permit expiration.  
[ARS § 49-426.F, A.A.C. R18-2-304.D.2]

### **II. COMPLIANCE WITH PERMIT CONDITIONS**

- A.** The Permittee shall comply with all conditions of this permit including all applicable requirements of the Arizona Revised Statutes (A.R.S.) Title 49, Chapter 3, and the air quality rules under Title 18, Chapter 2 of the Arizona Administrative Code. Any permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, revision; or for denial of a permit renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act.  
[A.A.C. R18-2-306.A.8.a]
- B.** It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
[A.A.C. R18-2-306.A.8.b]

### **III. PERMIT REVISION, REOPENING, REVOCATION AND REISSUANCE, OR TERMINATION FOR CAUSE**

- A.** The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
[A.A.C. R18-2-306.A.8.c]
- B.** The permit shall be reopened and revised under any of the following circumstances:
1. Additional applicable requirements under the Clean Air Act become applicable to the Class I source. Such a reopening shall only occur if there are three or more years remaining in the permit term. The reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to A.A.C. R18-2-322.B. Any permit revision required pursuant to this subparagraph shall comply with the provisions in A.A.C. R18-2-322 for permit renewal and shall reset the five-year permit term;  
[A.A.C. R18-2-321.A.1.a]
  2. Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by

the Administrator, excess emissions offset plans shall be deemed to be incorporated into the Class I permit;

[A.A.C. R18-2-321.A.1.b]

3. The Director or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; and

[A.A.C. R18-2-321.A.1.c]

4. The Director or the Administrator determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements.

[A.A.C. R18-2-321.A.1.d]

- C. Proceedings to reopen and issue a permit, including appeal of any final action relating to a permit reopening, shall follow the same procedures as apply to initial permit issuance and shall, except for reopenings under Condition III.B.1, affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. Permit reopenings for reasons other than those stated in Condition III.B.1 above shall not result in a resetting of the five-year permit term.

[A.A.C. R18-2-321.A.2]

#### **IV. POSTING OF PERMIT**

- A. The Permittee shall post this permit or a certificate of permit issuance at the facility in such a manner as to be clearly visible and accessible. All equipment covered by this permit shall be clearly marked with one of the following:

1. Current permit number; or
2. Serial number or other equipment identification number (equipment ID number) that is also listed in the permit to identify that piece of equipment.

[A.A.C. R18-2-315.A]

- B. A copy of the complete permit shall be kept on site.

[A.A.C. R18-2-315.B]

#### **V. FEE PAYMENT**

- A. The Permittee shall pay fees to the Director pursuant to ARS § 49-426(E) and A.A.C. R18-2-326.

[A.A.C. R18-2-306.A.9 and -326]

#### **VI. ANNUAL EMISSION INVENTORY QUESTIONNAIRE**

- A. The Permittee shall complete and submit to the Director an annual emissions inventory questionnaire. The questionnaire is due by March 31<sup>st</sup> or ninety (90) days after the Director makes the inventory form available each year, whichever occurs later, and shall include emission information for the previous calendar year.

[A.A.C. R18-2-327.A]

- B.** The questionnaire shall be on a form provided by the Director and shall include the information required by A.A.C. R18-2-327.B.

[A.A.C. R18-2-327.B]

## **VII. COMPLIANCE CERTIFICATION**

- A.** The Permittee shall submit a compliance certification to the Director annually which describes the compliance status of the source with respect to each permit condition. The certification shall be submitted no later than September 31st, and shall report the compliance status of the source during the period between September 1st of the previous year and August 31st of the current year.

[A.A.C. R18-2-309.2.a]

- B.** The compliance certifications shall include the following:

1. Identification of each term or condition of the permit that is the basis of the certification;

[A.A.C. R18-2-309.2.c.i]

2. Identification of the methods or other means used by the Permittee for determining the compliance status with each term and condition during the certification period,

[A.A.C. R18-2-309.2.c.ii]

3. Status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the methods or means designated in Condition VII.B.2 above. The certifications shall identify each deviation and take it into account for consideration in the compliance certification;

[A.A.C. R18-2-309.2.c.iii]

4. For emission units subject to 40 CFR Part 64, the certification shall also identify as possible exceptions to compliance any period during which compliance is required and in which an excursion or exceedance defined under 40 CFR Part 64 occurred;

[A.A.C. R18-2-309.2.c.iii]

5. All instances of deviations from permit requirements reported pursuant to Condition XII.B; and

6. Other facts the Director may require to determine the compliance status of the source.

[A.A.C. R18-2-309.2.a, -309.2.c-d, and -309.5.d]

- C.** A copy of all compliance certifications shall also be submitted to the EPA Administrator.

- D.** If any outstanding compliance schedule exists, a progress report shall be submitted with the semi-annual compliance certifications required in Condition VII.A above.

## **VIII. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS**

Any document required to be submitted by this permit, including reports, shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[A.A.C. R18-2-304.I]

## **IX. INSPECTION AND ENTRY**

- A.** Upon presentation of proper credentials, the Permittee shall allow the Director or the authorized representative of the Director to:
- B.** Enter upon the Permittee's premises where a source is located, emissions-related activity is conducted, or where records are required to be kept under the conditions of the permit;  
[A.A.C. R18-2-309.4.a]
- C.** Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;  
[A.A.C. R18-2-309.4.b]
- D.** Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;  
[A.A.C. R18-2-309.4.c]
- E.** Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and  
[A.A.C. R18-2-309.4.d]
- F.** Record any inspection by use of written, electronic, magnetic and photographic media.  
[A.A.C. R18-2-309.4.e]

## **X. PERMIT REVISION PURSUANT TO FEDERAL HAZARDOUS AIR POLLUTANT STANDARD**

If this source becomes subject to a standard promulgated by the Administrator pursuant to Section 112(d) of the Act, then the Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard.

[A.A.C. R18-2-304.D.3]

## **XI. ACCIDENTAL RELEASE PROGRAM**

If this source becomes subject to the provisions of 40 CFR Part 68, then the Permittee shall comply with these provisions according to the time line specified in 40 CFR Part 68.

[40 CFR Part 68]

## **XII. EXCESS EMISSIONS, PERMIT DEVIATIONS, AND EMERGENCY REPORTING**

- A.** Excess Emissions Reporting

[A.A.C. R18-2-310.01.A, B, and C]

- 1. Excess emissions shall be reported as follows:

a. The Permittee shall report to the Director any emissions in excess of the limits established by this permit. Such report shall be in two parts as specified below:

(1) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions including all available information from Condition XII.A.1.b below.

(2) Detailed written notification by submission of an excess emissions report within 72 hours of the notification pursuant to Condition XII.A.1.a(1) above.

[A.A.C. R18-2-310.01.A]

b. The report shall contain the following information:

(1) Identity of each stack or other emission point where the excess emissions occurred;

[A.A.C. R18-2-310.01.B.1]

(2) Magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions;

[A.A.C. R18-2-310.01.B.2]

(3) Date, time and duration, or expected duration, of the excess emissions;

[A.A.C. R18-2-310.01.B.3]

(4) Identity of the equipment from which the excess emissions emanated;

[A.A.C. R18-2-310.01.B.4]

(5) Nature and cause of such emissions;

[A.A.C. R18-2-310.01.B.5]

(6) If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions;

[A.A.C. R18-2-310.01.B.6]

(7) Steps taken to limit the excess emissions; and

[A.A.C. R18-2-310.01.B.7]

(8) If the excess emissions resulted from start-up or malfunction, the report shall contain a list of the steps taken to comply with the permit procedures.

[A.A.C. R18-2-310.01.B.8]

2. In the case of continuous or recurring excess emissions, the notification requirements shall be satisfied if the source provides the required notification after

excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period, or changes in the nature of the emissions as originally reported, shall require additional notification pursuant to Condition XII.A.1 above.

[A.A.C. R18-2-310.01.C]

## B. Permit Deviations Reporting

The Permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the applicable requirement contains a definition of prompt or otherwise specifies a timeframe for reporting deviations, that definition or timeframe shall govern. Where the applicable requirement does not address the timeframe for reporting deviations, the Permittee shall submit reports of deviations according to the following schedule:

1. Notice that complies with A.A.C. R18-2-310.01.A is prompt for deviations that constitute excess emissions;  
[A.A.C. R18-2-306.A.5.b.i]
2. Notice regarding upset conditions, which are defined as malfunctions or breakdowns of pollution control equipment, continuous emissions monitoring systems (CEMS), or continuous opacity monitoring systems (COMS) that are submitted within two working days of discovery shall be considered prompt; and  
[A.A.C. R18-2-306.A.5.b.ii]
3. Except as provided in Conditions **Error! Reference source not found.** and **Error! Reference source not found.**, prompt notification of all other types of deviations shall be annually, concurrent with the annual compliance certifications required in Condition **Error! Reference source not found.**, and can be submitted on the excess Emissions/Deviation Monitoring Report form located on the Arizona Department of Environmental Quality Website.

[A.A.C. R18-2-306.A.5.a]

## C. Emergency Provision

1. An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, that require immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.  
[A.A.C. R18-2-306.E.1]
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if Condition XII.C.3 is met.

[A.A.C. R18-2-306.E.2]

3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:  
[A.A.C. R18-2-306.E.3]
  - a. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;  
[A.A.C. R18-2-306.E.3.a]
  - b. The permitted facility was being properly operated at the time of the emergency;  
[A.A.C. R18-2-306.E.3.b]
  - c. During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and  
[A.A.C. R18-2-306.E.3.c]
  - d. The Permittee submitted notice of the emergency to the Director by certified mail, facsimile, or hand delivery within two working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.  
[A.A.C. R18-2-306.E.3.d]
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.  
[A.A.C. R18-2-306.E.4]
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.  
[A.A.C. R18-2-306.E.5]

**D. Compliance Schedule**

For any excess emission or permit deviation that cannot be corrected within 72 hours, the Permittee is required to submit a compliance schedule to the Director within 21 days of such occurrence. The compliance schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with the permit terms or conditions that have been violated.

[ARS § 49-426.I.3]

**E. Affirmative Defenses for Excess Emissions Due to Malfunctions, Startup, and Shutdown**

**1. Applicability**

A.A.C. R18-2-310 establishes affirmative defenses for certain emissions in excess of an emission standard or limitation and applies to all emission standards or limitations except for standards or limitations:

- a. Promulgated pursuant to Sections 111 or 112 of the Act;  
[A.A.C. R18-2-310.A.1]

- b. Promulgated pursuant to Titles IV or VI of the Clean Air Act;  
[A.A.C. R18-2-310.A.2]
- c. Contained in any Prevention of Significant Deterioration (PSD) or New Source Review (NSR) permit issued by the U.S. EPA;  
[A.A.C. R18-2-310.A.3]
- d. Contained in A.A.C. R18-2-715.F; or  
[A.A.C. R18-2-310.A.4]
- e. Included in a permit to meet the requirements of A.A.C. R18-2-406.A.5.  
[A.A.C. R18-2-310.A.5]

2. Affirmative Defense for Malfunctions

Emissions in excess of an applicable emission limitation due to malfunction shall constitute a violation. When emissions in excess of an applicable emission limitation are due to a malfunction, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:

[A.A.C. R18-2-310.B]

- a. The excess emissions resulted from a sudden and unavoidable breakdown of process equipment or air pollution control equipment beyond the reasonable control of the Permittee;  
[A.A.C. R18-2-310.B.1]
- b. The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;  
[A.A.C. R18-2-310.B.2]
- c. If repairs were required, the repairs were made in an expeditious fashion when the applicable emission limitations were being exceeded. Off-shift labor and overtime were utilized where practicable to ensure that the repairs were made as expeditiously as possible. If off-shift labor and overtime were not utilized, the Permittee satisfactorily demonstrated that the measures were impracticable;  
[A.A.C. R18-2-310.B.3]
- d. The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;  
[A.A.C. R18-2-310.B.4]
- e. All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;  
[A.A.C. R18-2-310.B.5]

- f. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;  
[A.A.C. R18-2-310.B.6]
- g. During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;  
[A.A.C. R18-2-310.B.7]
- h. The excess emissions did not stem from any activity or event that could have been foreseen and avoided, or planned, and could not have been avoided by better operations and maintenance practices;  
[A.A.C. R18-2-310.B.8]
- i. All emissions monitoring systems were kept in operation if at all practicable; and  
[A.A.C. R18-2-310.B.9]
- j. The Permittee's actions in response to the excess emissions were documented by contemporaneous records.  
[A.A.C. R18-2-310.B.10]

3. Affirmative Defense for Startup and Shutdown

- a. Except as provided in Condition XII.E.3.b, and unless otherwise provided for in the applicable requirement, emissions in excess of an applicable emission limitation due to startup and shutdown shall constitute a violation. When emissions in excess of an applicable emission limitation are due to startup and shutdown, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:  
[A.A.C. R18-2-310.C.1]
  - (1) The excess emissions could not have been prevented through careful and prudent planning and design;  
[A.A.C. R18-2-310.C.1.a]
  - (2) If the excess emissions were the result of a bypass of control equipment, the bypass was unavoidable to prevent loss of life, personal injury, or severe damage to air pollution control equipment, production equipment, or other property;  
[A.A.C. R18-2-310.C.1.b]
  - (3) The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;  
[A.A.C. R18-2-310.C.1.c]

- (4) The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;  
[A.A.C. R18-2-310.C.1.d]
  - (5) All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;  
[A.A.C. R18-2-310.C.1.e]
  - (6) During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;  
[A.A.C. R18-2-310.C.1.f]
  - (7) All emissions monitoring systems were kept in operation if at all practicable; and  
[A.A.C. R18-2-310.C.1.g]
  - (8) Contemporaneous records documented the Permittee's actions in response to the excess emissions.  
[A.A.C. R18-2-310.C.1.h]
- b. If excess emissions occur due to a malfunction during routine startup and shutdown, then those instances shall be treated as other malfunctions subject to Condition XII.E.2 above.  
[A.A.C. R18-2-310.C.2]
4. Affirmative Defense for Malfunctions during Scheduled Maintenance
- If excess emissions occur due to a malfunction during scheduled maintenance, then those instances will be treated as other malfunctions subject to Condition XII.E.2.  
[A.A.C. R18-2-310.D]
5. Demonstration of Reasonable and Practicable Measures
- For an affirmative defense under Condition XII.E.2 or XII.E.3, the Permittee shall demonstrate, through submission of the data and information required by Condition XII.E and A.A.C. R18-2-310.01, that all reasonable and practicable measures within the Permittee's control were implemented to prevent the occurrence of the excess emissions.  
[A.A.C. R18-2-310.E]

### **XIII. RECORDKEEPING REQUIREMENTS**

- A. The Permittee shall keep records of all required monitoring information including, but not limited to, the following:  
[A.A.C. R18-2-306.A.4.a]
1. The date, place as defined in the permit, and time of sampling or measurements;  
[A.A.C. R18-2-306.A.4.a.i]

2. The date(s) any analyses were performed;  
[A.A.C. R18-2-306.A.4.a.ii]
3. The name of the company or entity that performed the analyses;  
[A.A.C. R18-2-306.A.4.a.iii]
4. A description of the analytical techniques or methods used;  
[A.A.C. R18-2-306.A.4.a.iv]
5. The results of analyses; and  
[A.A.C. R18-2-306.A.4.a.v]
6. The operating conditions as existing at the time of sampling or measurement.  
[A.A.C. R18-2-306.A.4.a.vi]

- B.** The Permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings or other data recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
[A.A.C. R18-2-306.A.4.b]

#### **XIV. REPORTING REQUIREMENTS**

- A.** The Permittee shall submit the following reports:
- B.** Compliance certifications in accordance with Condition VII.  
[A.A.C. R18-2-306.A.5.a]
- C.** Excess emission; permit deviation, and emergency reports in accordance with Condition XII.  
[A.A.C. R18-2-306.A.5.b]
- D.** Other reports required by any condition of Attachment “B”.

#### **XV. DUTY TO PROVIDE INFORMATION**

- A.** The Permittee shall furnish to the Director, within a reasonable time, any information that the Director may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Director copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish an additional copy of such records directly to the Administrator along with a claim of confidentiality.  
[A.A.C. R18-2-304.G and -306.A.8.e]
- B.** If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  
[A.A.C. R18-2-304.H]

**XVI. PERMIT AMENDMENT OR REVISION**

The Permittee shall apply for a permit amendment or revision for changes to the facility which do not qualify for a facility change without revision under Condition XVII, as follows:

- A.** Administrative Permit Amendment (A.A.C. R18-2-318);  
[A.A.C. R18-2-318]
- B.** Minor Permit Revision (A.A.C. R18-2-319); and  
[A.A.C. R18-2-319]
- C.** Significant Permit Revision (A.A.C. R18-2-320)  
[A.A.C. R18-2-320]
- D.** The applicability and requirements for such action are defined in the above referenced regulations.

**XVII. FACILITY CHANGE WITHOUT A PERMIT REVISION**

- A.** The Permittee may make changes at the permitted source without a permit revision if all of the following apply:  
[A.A.C. R18-2-317]
  - 1. The changes are not modifications under any provision of Title I of the Act or under ARS § 49-401.01(24);  
[A.A.C. R18-2-317.A.1]
  - 2. The changes do not exceed the emissions allowable under the permit whether expressed therein as a rate of emissions or in terms of total emissions;  
[A.A.C. R18-2-317.A.2]
  - 3. The changes do not violate any applicable requirements or trigger any additional applicable requirements;  
[A.A.C. R18-2-317.A.3]
  - 4. The changes satisfy all requirements for a minor permit revision under A.A.C. R18-2-319.A;  
[A.A.C. R18-2-317.A.4]
  - 5. The changes do not contravene federally enforceable permit terms and conditions that are monitoring (including test methods), record keeping, reporting, or compliance certification requirements; and  
[A.A.C. R18-2-317.A.5]
  - 6. The changes do not constitute a minor NSR modification.  
[A.A.C. R18-2-317.A.6]
- B.** The substitution of an item of process or pollution control equipment for an identical or substantially similar item of process or pollution control equipment shall qualify as a change that does not require a permit revision, if it meets all of the requirements of Conditions XVII.A and XVII.C of this Attachment.  
[A.A.C. R18-2-317.B]

- C.** For each change under Conditions XVII.A and XVII.B above, a written notice by certified mail or hand delivery shall be received by the Director and the Administrator a minimum of 7 working days in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided less than 7 working days in advance of the change, but must be provided as far in advance of the change, as possible or, if advance notification is not practicable, as soon after the change as possible.
- [A.A.C. R18-2-317.D]
- D.** Each notification shall include:
1. When the proposed change will occur;
- [A.A.C. R18-2-317.E.1]
2. A description of the change;
- [A.A.C. R18-2-317.E.2]
3. Any change in emissions of regulated air pollutants; and
- [A.A.C. R18-2-317.E.3]
4. Any permit term or condition that is no longer applicable as a result of the change.
- [A.A.C. R18-2-317.E.7]
- E.** The permit shield described in A.A.C. R18-2-325 shall not apply to any change made under this Section.
- [A.A.C. R18-2-317.F]
- F.** Except as otherwise provided for in the permit, making a change from one alternative operating scenario to another as provided under A.A.C. R18-2-306.A.11 shall not require any prior notice under this Section.
- [A.A.C. R18-2-317.G]
- G.** Notwithstanding any other part of this Section, the Director may require a permit to be revised for any change that, when considered together with any other changes submitted by the same source under this Section over the term of the permit, do not satisfy Condition XVII.A above.
- [A.A.C. R18-2-317.H]

## **XVIII. TESTING REQUIREMENTS**

[A.A.C. R18-2-312]

- A.** The Permittee shall conduct performance tests as specified in the permit and at such other times as may be required by the Director.
- B.** Operational Conditions during Performance Testing

Performance tests shall be conducted under such conditions as the Director shall specify to the plant operator based on representative performance of the source. The Permittee shall make available to the Director such records as may be necessary to determine the conditions of the performance tests. Operations during periods of start-up, shutdown, and malfunction (as defined in A.A.C. R18-2-101) shall not constitute representative conditions of performance tests unless otherwise specified in the applicable standard.

- C.** Performance Tests shall be conducted and data reduced in accordance with the test methods and procedures contained in the Arizona Testing Manual unless modified by the Director pursuant to A.A.C. R18-2-312.B.

**D.** Test Plan

At least 14 working days prior to performing a test, the Permittee shall submit a test plan to the Director in accordance with A.A.C. R18-2-312.B and the Arizona Testing Manual. This test plan must include the following:

1. Test duration;
2. Test location(s);
3. Test method(s); and
4. Source operation and other parameters that may affect test results.

**E.** Stack Sampling Facilities

The Permittee shall provide, or cause to be provided, performance testing facilities as follows:

1. Sampling ports adequate for test methods applicable to the facility;
2. Safe sampling platform(s);
3. Safe access to sampling platform(s); and
4. Utilities for sampling and testing equipment.

**F.** Interpretation of Final Results

Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of the results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs is required to be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control, compliance may, upon the Director's approval, be determined using the arithmetic mean of the results of the other two runs. If the Director or the Director's designee is present, tests may only be stopped with the Director's or such designee's approval. If the Director or the Director's designee is not present, tests may only be stopped for good cause. Good cause includes: forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control. Termination of any test without good cause after the first run is commenced shall constitute a failure of the test. Supporting documentation, which demonstrates good cause, must be submitted.

**G. Report of Final Test Results**

A written report of the results of performance tests conducted pursuant to 40 CFR 63, shall be submitted to the Director within 60 days after the test is performed. A written report of the results of all other performance tests shall be submitted within 30 days after the test is performed, or as otherwise provided in the Arizona Testing Manual. All performance testing reports shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312.A.

**H. Extension of Performance Test Deadline**

[A.A.C. R18-2-312.J]

For performance testing required under Condition XVIII.A above, the Permittee may request an extension to a performance test deadline due to a force majeure event as follows:

[A.A.C. R18-2-312.J]

1. If a force majeure event is about to occur, occurs, or has occurred for which the Permittee intends to assert a claim of force majeure, the Permittee shall notify the Director in writing as soon as practicable following the date the Permittee first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline. The notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall be given as soon as practicable.

[A.A.C. R18-2-312.J.1]

2. The Permittee shall provide to the Director a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the Permittee proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure event occurs.

[A.A.C. R18-2-312.J.2]

3. The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Director. The Director shall notify the Permittee in writing of approval or disapproval of the request for an extension as soon as practicable.

[A.A.C. R18-2-312.J.3]

4. Until an extension of the performance test deadline has been approved by the Director under subsections Conditions XVIII.H.1, 2, and 3 above, the Permittee remains subject to the requirements of Condition XVII of Attachment A.

[A.A.C. R18-2-312.J.4]

5. For purposes of Condition XVIII, a “force majeure event” means an event that will be or has been caused by circumstances beyond the control of the Permittee, its contractors, or any entity controlled by the Permittee that prevents it from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the Permittee's best efforts to fulfill the obligation.

Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the Permittee.

[A.A.C. R18-2-312.J.1]

#### **XIX. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

[A.A.C. R18-2-306.A.8.d]

#### **XX. SEVERABILITY CLAUSE**

The provisions of this permit are severable. In the event of a challenge to any portion of this permit, or if any portion of this permit is held invalid, the remaining permit conditions remain valid and in force.

[A.A.C. R18-2-306.A.7]

#### **XXI. PERMIT SHIELD**

Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements identified in the portions of this permit subtitled "Permit Shield". The permit shield shall not apply to minor revisions pursuant to Condition XVI.B of this Attachment and any facility changes without a permit revision pursuant to Condition XVII of this Attachment.

[A.A.C. R18-2-317.F, - 320, and -325]

#### **XXII. PROTECTION OF STRATOSPHERIC OZONE**

If this source becomes subject to the provisions of 40 CFR Part 82, then the Permittee shall comply with these provisions accordingly.

[40 CFR Part 82]

#### **XXIII. APPLICABILITY OF NSPS/NESHAP GENERAL PROVISIONS**

For all equipment subject to a New Source Performance Standard or a National Emission Standard for Hazardous Air Pollutants, the Permittee shall comply with all applicable requirements contained in Subpart A of Title 40, Chapter 60 and Chapter 63 of the Code of Federal Regulations.

[40 CFR Part 60 and Part 63]

**ATTACHMENT “B”: SPECIFIC CONDITIONS****I. FACILITY-WIDE REQUIREMENTS****A. Opacity****1. Instantaneous Surveys and Six-Minute Observations****a. Instantaneous Surveys**

Any instantaneous survey required by this permit shall be determined by either option listed in Conditions I.A.1.a(1) and (2).

(1) Alternative Method ALT-082 (Digital Camera Operating Technique)

(a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.

(b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.

[A.A.C. R18-2-311.b]

(2) EPA Reference Method 9 Certified Observer.

[A.A.C. R18-2-306.A.3.c]

**b. Six-Minute Observations**

Any six-minute observation required by this permit shall be determined by either option listed in Conditions I.A.1.b(1) and (2).

(1) Alternative Method ALT-082 (Digital Camera Operating Technique)

(a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.

(b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.

[A.A.C. R18-2-311.b]

(2) EPA Reference Method 9.

c. The Permittee shall have on site or on call a person certified in EPA Reference Method 9 unless all 6-minute Method 9 observations required by this permit are conducted as a 6-minute Alternative Method-082 (Digital Camera Operating Technique) and all instantaneous visual surveys required by this permit are conducted as an instantaneous Alt-082 camera survey. Any 6-minute Method 9 observation required by this permit can be conducted as a 6-minute Alternative Method-082 and any

instantaneous visual survey required by this permit can be conducted as an instantaneous Alt-082 camera survey.

[A.A.C. R18-2-306.A.3.c]

2. Monitoring, Recordkeeping, and Reporting Requirements

- a. At the frequency specified in the following sections of this permit, the Permittee shall conduct an instantaneous survey of visible emissions from both process stack sources, when in operation, and fugitive dust sources.
- b. If the plume on an instantaneous basis appears less than or equal to the applicable opacity standard, then the Permittee shall keep a record of the name of the observer, the date on which the instantaneous survey was made, and the results of the instantaneous survey.
- c. If the plume on an instantaneous basis appears greater than the applicable opacity standard, then the Permittee shall immediately conduct a six-minute observation of the plume.
  - (1) If the six-minute observation of the plume is less than or equal to the applicable opacity standard, then the Permittee shall record the name of the observer, the date on which the six-minute observation was made, and the results of the six-minute observation.
  - (2) If the six-minute observation of the plume is greater than the applicable opacity standard, then the Permittee shall do the following:
    - (a) Adjust or repair the controls or equipment to reduce opacity to less than or equal to the opacity standard;
    - (b) Record the name of the observer, the date on which the six-minute observation was made, the results of the six-minute observation, and all corrective action taken; and
    - (c) Report the event as an excess emission for opacity in accordance with Condition XII.A of Attachment "A".
    - (d) Conduct another six-minute observation to document the effectiveness of the adjustments or repairs completed.

[A.A.C. R18-2-306.A.3.c]

**II. GASOLINE/CRUDE OIL STORAGE TANK**

**A. Applicability**

This Section applies to the Storage Tank #1 and Tank #2 for storing gasoline or crude oil.

[40 CFR 60.110b(a)]

**B. Notification Requirements**

The Permittee shall notify the Director in writing at least 30 days prior to the filling or refilling of the storage vessel for which an inspection is required by Conditions II.C.3.a and II.C.3.b(1) of this Attachment to afford the Director the opportunity to have an observer present. If the inspection required by Condition II.C.3.b(1) of this Attachment is not planned and the Permittee could not have known about the inspection 30 days in advance or refilling the tank, the Permittee shall notify the Director at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Director at least 7 days prior to the refilling.

[40 CFR 60.113b(a)(5)]

**C. Volatile Organic Compounds**

**1. Emission Standards and Limitations**

The storage tank shall meet the following specifications:

[40 CFR 60.112b(a)(1)]

- a. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

[40 CFR 60.112b(a)(1)(i)]

- b. Each internal floating roof shall be equipped two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

[40 CFR 60.112b(a)(1)(ii)(B)]

- c. Each opening in a non-contact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

[40 CFR 60.112b(a)(1)(iii)]

- d. Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

[40 CFR 60.112b(a)(1)(iv)]

- e. Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.  
[40 CFR 60.112b(a)(1)(v)]
- f. Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.  
[40 CFR 60.112b(a)(1)(vi)]
- g. Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.  
[40 CFR 60.112b(a)(1)(vii)]
- h. Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.  
[40 CFR 60.112b(a)(1)(viii)]
- i. Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.  
[40 CFR 60.112b(a)(1)(ix)]

2. *All pumps and compressors, which handle volatile organic compounds, shall be equipped with mechanical seals or other equipment of equal efficiency to prevent the release of organic contaminants into the atmosphere.*

[A.A.C. R18-2-905.3, A.A.C. R18-2-331.A.3.e]

[Material Permit Condition is indicated by underline and italics]

3. Testing and Procedures

- a. The Permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal, prior to filling the storage vessel with volatile organic liquid (VOL). If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.  
[40 CFR 60.113b(a)(1)]
- b. The Permittee shall perform visual inspection at least every 5 years as provided in (1) below, or, visually inspect the vessel as per (2) below:  
[40 CFR 60.113b(a)(3)]
  - (1) The Permittee shall inspect the vessel at least every 5 years. The Permittee shall visually inspect the internal floating roof, the primary seal, the secondary seal, gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid

surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the Permittee shall repair the items as necessary so that none of the conditions specified in this Condition exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as per (2) below.

[40 CFR 60.113b(a)(4)]

- (2) The Permittee shall visually inspect the internal floating roof and the primary seal or the secondary seal through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the Permittee shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this Condition cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Director in the inspection report required in II.C.4.c of this Attachment. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

[40 CFR 60.113b(a)(2)]

#### 4. Monitoring, Record Keeping and Reporting Requirements

- a. The Permittee shall keep readily accessible records showing the dimension of the storage tank and an analysis showing the capacity of the storage vessel.

[40 CFR 60.116b(b)]

- b. The Permittee shall keep a record of each inspection performed as required by Conditions II.C.3.a and II.C.3.b of this Attachment. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

[40 CFR 60.115b(a)(2)]

- c. If any of the conditions described in Condition II.C.3.b(2) are detected during the annual visual inspection, a report shall be furnished to the Director within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

[40 CFR 60.115b(a)(3)]

- d. After each inspection required by Condition II.C.3.b of this Attachment that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Condition II.C.3.b(2), a report shall be furnished to the Director within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of Conditions II.C.1 or II.C.3.b of this Attachment and list each repair made.

[40 CFR 60.115b(a)(4)]

- e. Reports and records required under a above shall be maintained for the life of the control equipment. All other records shall be maintained for at least 2 years.

[40 CFR 60.115b, 40 CFR 60.116b(a)]

#### **D. Permit Shield**

Compliance with the Conditions of this Part shall be deemed compliance with 40 CFR 60.112b(a)(1)(i), 60.112b(a)(1)(ii)(B), 60.112b(a)(1)(iii), 60.112b(a)(1)(iv), 60.112b(a)(1)(v), 60.112b(a)(1)(vi), 60.112b(a)(1)(vii), 60.112b(a)(1)(viii), 60.112b(a)(1)(ix), 60.113b(a)(1), 60.113b(a)(2), 60.113b(a)(3), 60.113b(a)(4), 60.113b(a)(5), 60.115b, 60.115b(a)(2), 60.115b(a)(3), 60.115b(a)(4), 60.116b(a), and 60.116b(b).

### **III. DIESEL STORAGE TANK AND LOADING RACKS**

#### **A. Applicability**

This section is applicable to

1. Diesel storage tank (Tank #3).
2. Loading racks and connected flare system.

#### **B. Opacity**

1. Emission Limitations/Standards

The opacity of any plume or effluent from the diesel storage tank and the flare stack shall not be greater than 20 percent.

[A.A.C. R 18-2-702.B]

2. Monitoring, Reporting, and Record keeping Requirements

- a. *The presence of a flare pilot flame for the flare, referenced in Condition III.C.2 of this Attachment, shall be monitored using a thermocouple or an ultraviolet beam sensor.*

[A.A.C. R18-2-306.A.3.c and A.A.C. R18-2-331.A.3.c]

[Material Permit Condition is indicated by underline and italics]

- b. A certified EPA Reference Method 9 observer shall conduct a monthly survey of visible emissions emanating from the storage tank and the flare stack. The Permittee shall keep records of the type of observation performed, emission unit, name of observer, date, time of observation, location and the results of the observation. If the opacity of the emissions observed appears to exceed the opacity standard, the observer shall conduct a certified EPA Reference Method 9 observation. Upon completion of the survey and observation the Permittee shall record the corrective action taken (if applicable). These records shall be made available to the ADEQ inspector upon request. For all instances of an exceedance of the opacity standard, the Permittee shall submit excess emission reports in accordance with XII.A.1 of Attachment "A".

[A.A.C. R18-2-306.A.3.c]

### 3. Permit Shield

Compliance with this Part shall be deemed compliance with A.A.C. R18-2-702.B.

[A.A.C. R18-2-325]

## C. Volatile Organic Compounds (VOCs)

### 1. Requirements for Loading Racks

[A.A.C. R18-2-306.A.3.c]

- a. The Permittee shall design and operate the vapor collection system to prevent any VOC vapors collected at one loading rack from passing to another loading rack.
- b. The Permittee shall limit the loading of gasoline/crude oil into only vapor-tight trucks, which have been certified using the pressure test procedure specified in EPA Reference Method 27.
- c. The Permittee shall act to assure that loading of tank trucks at the facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.
- d. The Permittee shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a tank truck at the facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the loading racks.

2. *At all times, when emissions are vented to flare, including periods of start-up, shutdown, and malfunction, the Permittee shall maintain and operate the flare in a manner consistent with good air pollution control practice for minimizing VOC emission associated with loading operations.*

[A.A.C. R18-2-306.A.2 and -331.A.3.c]

[Material Permit Condition is indicated by underline and italics]

3. Permittee shall not emit gaseous or odorous materials from equipment, operations or premises under his control in such quantities or concentrations as to cause air pollution.

[A.A.C. R18-2-730.D]

4. Materials including solvents or other volatile compounds, and other chemicals utilized in the processes under this Section shall be processed, stored, used, and transported in such a manner and by means that they will not evaporate, leak, escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution. Where means are available to reduce effectively the contribution to air pollution from evaporation, leakage or discharge, the installation and use of such control methods, devices, or equipment shall be mandatory.

[A.A.C. R18-2-730.F]

5. Where a stack, vent or other outlet is at such a level that fumes, gas mist, odor, smoke, vapor or any combination thereof constituting air pollution is discharged to adjoining property, the Director may require the installation of abatement equipment or the alteration of such stack, vent, or other outlet by the Permittee to a degree that will adequately dilute, reduce or eliminate the discharge of air pollution to adjoining property.

[A.A.C. R18-2-730.G]

#### **IV. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS) REQUIREMENTS**

##### **A. Applicability**

1. This Section applies to gasoline storage tanks (Tank #1 and Tank #2), gasoline-loading racks, vapor collection-equipped gasoline cargo tanks (gasoline tank trucks), and flare system for the loading racks.

[40 CFR 63.11082(a)]

2. The gasoline storage tank subject to, and complying with, the control requirements of 40 CFR Part 60 - Subpart Kb (Section II of this Attachment) shall be deemed in compliance with this Section. The Permittee must report this determination in the Notification of Compliance Status report under Condition IV.E.2 of this Attachment.

[40 CFR 63.11087(f)]

3. NESHAPs General Provisions, as described in 40 CFR 63 Subpart BBBBBB, Table 3 shall be applicable to this Section.

[40 CFR 63.11098]

##### **B. Emission Standards/Operating Requirements**

1. The gasoline storage tank shall meet the requirements as specified under Condition II.C.1 of this Attachment.

[40 CFR 63.11087(a), 40 CFR 63 Subpart BBBBBB, item 2(b) of Table 1]

2. Gasoline loading racks equipped with a vapor collection system and shall meet following requirements:

[40 CFR 63.11088(a), 40 CFR 63 Subpart BBBBBB Table 2]

- a. The system shall be designed to collect the total organic carbon (TOC) vapors displaced from cargo tanks during product loading; and  
[40 CFR 63 Subpart BBBBBBB, Item 1(a) of Table 2]
- b. It shall reduce emissions of VOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack; and  
[40 CFR 63 Subpart BBBBBBB, Item 1(b) of Table 2]
- c. The Permittee shall limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the following procedures:  
[40 CFR 63 Subpart BBBBBBB, Item 1(d) of Table 2]
  - (1) Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using following procedures:
    - (a) The Permittee shall require the tank identification number to be recorded for each gasoline tank truck is loaded;  
[40 CFR 60.502(e)(2)]
    - (b) The Permittee shall cross-check each tank identification number obtained with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded;  
[40 CFR 60.502(e)(3)]
    - (c) The Permittee shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the facility within 1 week of the documentation cross-check in paragraph (b) above;  
[40 CFR 60.502(e)(4)]
    - (d) The Permittee shall take steps assuring that the non vapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.  
[40 CFR 60.502(e)(5)]
  - (2) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in Condition IV.D.1.b of this Attachment.  
[40 CFR 60.502(h)]
  - (3) No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).  
[40 CFR 60.502(i)]

3. The Permittee shall demonstrate that the flare in compliance with the requirements following requirements:

[40 CFR 63.11092(a)(4)]

- a. Flare shall be designed for and operated with no visible emissions as determined by the methods specified in Condition IV.D.3 of this Attachment, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

[40 CFR 63.11(b)(4)]

- b. Flares shall be operated with a flame present at all times, as determined by the methods specified in Condition IV.D.3 of this Attachment. The presence of a flare pilot flame shall be monitored using a thermocouple or an ultraviolet beam sensor installed in proximity to the pilot light to indicate the presence of a flame.

[40 CFR 63.11(b)(5), 40 CFR 63.11092(b)(2)]

- c. The air-assisted flare shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

[40 CFR 63.11(b)(6)(ii)]

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where

$H_T$  = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$K$  = Constant,  $1.740 \times 10^{-7}$  (1/ppm)(g mole/scm)(MJ/kcal),  
Where the standard temperature for (g mole/scm) is 20 degree C.

$C_i$  = Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946–77 or 90 (Reapproved 1994) (Incorporated by reference as specified in §60.17); and

$H_i$  = Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382–76 or 88 or D4809–95 (incorporated by reference as specified in §60.17) if published values are not available or cannot be calculated.

- d. Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{max}$ , as determined by the following equation:

[40 CFR 63.11(b)(8)]

$$V_{max} = 8.71 + 0.708(H_T)$$

Where:

$V_{max}$  = Maximum permitted velocity, m/sec.

8.71 = Constant.

0.708 = Constant.

$H_T$  = The net heating value as determined in Condition 2 above.

**C. Equipment Leak Inspections**

1. The Permittee shall perform a monthly leak inspection of all equipment in gasoline service as defined in 40 CFR 63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.  
[40 CFR 60.502(j), 40 CFR 63.11089(a)]
2. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.  
[40 CFR 63.11089(b)]
3. Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in 4 below.  
[40 CFR 63.11089(c)]
4. Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The Permittee shall provide in the semiannual report specified in Condition IV.G.2 of this Attachment the reason(s) why the repair was not feasible and the date each repair was completed.  
[40 CFR 63.11089(d)]

**D. Testing Requirements**

1. Gasoline Loading Racks

The Permittee shall demonstrate that the flare in compliance with the requirements in Condition IV.B.3 of this Attachment and associated vapor collection system is in compliance with the following requirements.

[40 CFR 63.11092(a)(4)]

- a. Immediately before the performance test required to determine compliance with Condition IV.B.2.c(2) of this Attachment, the Permittee shall use Method 21 to monitor for leakage of vapor all potential sources

in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner or operator shall repair all leaks with readings of 500 ppm (as methane) or greater before conducting the performance test.

[40 CFR 60.503 (b)]

- b. The owner or operator shall determine compliance with the standard in IV.B.2.c(2) as follows:

[40 CFR 60.503 (d)]

- (1) *A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with  $\pm 2.5$  mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.*

[40 CFR 60.503 (d)(1), A.A.C. R18-2-331.A.3.c]

[Material Permit Condition is indicated by underline and italics]

- (2) During the performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

[40 CFR 60.503 (d)(1)]

## 2. Gasoline Cargo Tanks

The annual certification test for gasoline cargo tanks shall consist of EPA Method 27, Appendix A-8, 40 CFR part 60. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure ( $P_i$ ) for the pressure test shall be 460 millimeters (mm) of water (18 inches of water), gauge. The initial vacuum ( $V_i$ ) for the vacuum test shall be 150 mm of water (6 inches of water), gauge. The maximum allowable pressure and vacuum changes ( $\Delta p$ ,  $\Delta v$ ) for all affected gasoline cargo tanks is 3 inches of water, or less, in 5 minutes.

[40 CFR 63.11092(f)(1)]

## 3. Flare

EPA Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions in Condition IV.B.3.b of this Attachment. The observation period is 2 hours and shall be used according to Method 22.

[40 CFR 63.11(b)(4)]

## E. Notifications Requirements

1. The Permittee must submit an Initial Notification as specified in 40 CFR 63.9(b). If the facility is in compliance with the requirements of this subpart at the time the Initial Notification is due, the Notification of Compliance Status, as required in 2 below, may be submitted in lieu of the Initial Notification.

[40 CFR 63.11093(a)]

2. The Permittee must submit a Notification of Compliance Status as specified in 40 CFR 63.9(h). The Notification of Compliance Status must specify which of the compliance options included in Table 1 to 40 CFR 63 Subpart BBBBBB is used to comply with this Section.

[40 CFR 63.11093(b)]

3. The Permittee must submit additional notifications specified in §63.9, as applicable.

[40 CFR 63.11093(d)]

**F. Recordkeeping Requirements**

1. The Permittee shall keep records of the test results for each gasoline cargo tank loading at the facility as specified below:

[40 CFR 63.11094(b)]

- a. Annual certification testing performed under Condition IV.D.2 of this Attachment.
- b. The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:
  - (1) Name of test: Annual Certification Test—Method 27
  - (2) Cargo tank owner's name and address.
  - (3) Cargo tank identification number.
  - (4) Test location and date.
  - (5) Tester name and signature.
  - (6) Witnessing inspector, if any: Name, signature, and affiliation.
  - (7) Vapor tightness repair: Nature of repair work and when performed in relation to vapor tightness testing.
  - (8) Test results: Test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition.

2. As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in 1 above, the Permittee may comply with the requirements under a or b below:

- a. An electronic copy of each record is instantly available at the terminal.

[40 CFR 63.11094(c)(1)]

- (1) The copy of each record is an exact duplicate image of the original paper record with certifying signatures.

- (2) The Director is notified in writing that each terminal using this alternative is in compliance Condition 2.a above.
- b. For facilities that use a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation is made available (e.g., via facsimile) for inspection by the Director's delegated representatives during the course of a site visit, or within a mutually agreeable time frame.

[40 CFR 63.11094(c)(2)]
- (1) The copy of each record is an exact duplicate image of the original paper record with certifying signatures.
  - (2) The Director is notified in writing that each terminal using this alternative is in compliance with paragraph 2.b above.
- 3. The Permittee shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service.

[40 CFR 63.11094(d)]
- 4. For each equipment subject to equipment leak inspections under Section IV.C of this Attachment, the Permittee shall record in the log book for each leak that is detected the information specified in (a) through (g) below.

[40 CFR 63.11094(e)]

  - a. The equipment type and identification number.
  - b. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell).
  - c. The date the leak was detected and the date of each attempt to repair the leak.
  - d. Repair methods applied in each attempt to repair the leak.
  - e. "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.
  - f. The expected date of successful repair of the leak if the leak is not repaired within 15 days.
  - g. The date of successful repair of the leak.

**G. Reporting Requirements**

- 1. The Permittee shall include in a semiannual compliance report to the Director the following information, as applicable:

- a. For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.  
[40 CFR 63.11095(a)(2)]
  - b. For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection.  
[40 CFR 63.11095(a)(3)]
2. The Permittee shall submit an excess emissions report to the Director at the time the semiannual compliance report is submitted. Excess emissions events, and the information to be included in the excess emissions report, are specified in a through c below:
  - a. Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the owner or operator failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.  
[40 CFR 63.11095(b)(1)]
  - b. Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with Condition IV.F.1 of this Attachment.  
[40 CFR 63.11095(b)(2)]
  - c. For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:  
[40 CFR 63.11095(b)(5)]
    - (1) The date on which the leak was detected;
    - (2) The date of each attempt to repair the leak;
    - (3) The reasons for the delay of repair; and
    - (4) The date of successful repair.
3. The Permittee shall submit a semiannual excess emissions report, including the information specified in paragraphs 1(b) and 2(c) above, only for a 6-month period during which an excess emission event has occurred. If no excess emission events have occurred during the previous 6-month period, no report is required.  
[40 CFR 63.11095(c)]

#### **H. Permit Shield**

Compliance with the conditions of this Section shall be deemed compliance with 40 CFR 63.11(b)(4), 63.11(b)(5), 63.11(b)(6)(ii), 63.11(b)(8), 63.11082(a), 63.11083(b), 63.11087(a), 63.11087(f), 63.11088(a), 63.11089(a), 63.11089(b), 63.11089(c), 63.11092(a)(4), 63.11092(b)(2), 63.11092(f)(1), 63.11093(a), 63.11093(d), 63.11094(b), 63.11094(c)(1), 63.11094(c)(2), 63.11094(d), 63.11094(e), 63.11095(a)(2), 63.11095(a)(3), 63.11095(b)(1), 63.11095(b)(2), 63.11095(b)(5), 63.11095(c), 63.11098,

60.502(e)(2), 60.502(e)(3), 60.502(e)(4), 60.502(h), 60.502(i), 60.502(j), 60.503(b), and 60.503(d).

[A.A.C. R18-2-325]

## **V. FUGITIVE DUST REQUIREMENTS**

### **A. Applicability**

This Section applies to any non-point source of fugitive dust in the facility.

### **B. Particulate Matter and Opacity**

Open Areas, Roadways & Streets, Storage Piles, and Material Handling

#### **1. Emission Limitations/Standards**

- a. Opacity of emissions from any fugitive dust non-point source shall not be greater than 40%.

[A.A.C. R18-2-614]

- b. The Permittee shall employ the following reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne:

- (1) Keep dust and other types of air contaminants to a minimum in an open area where construction operations, repair operations, demolition activities, clearing operations, leveling operations, or any earth moving or excavating activities are taking place, by good modern practices such as using an approved dust suppressant or adhesive soil stabilizer, paving, covering, landscaping, continuous wetting, detouring, barring access, or other acceptable means;

[A.A.C. R18-2-604.A]

- (2) Keep dust to a minimum from driveways, parking areas, and vacant lots where motor vehicular activity occurs by using an approved dust suppressant, or adhesive soil stabilizer, or by paving, or by barring access to the property, or by other acceptable means;

[A.A.C. R18-2-604.B]

- (3) Keep dust and other particulates to a minimum by employing dust suppressants, temporary paving, detouring, wetting down or by other reasonable means when a roadway is repaired, constructed, or reconstructed;

[A.A.C. R18-2-605.A]

- (4) Take reasonable precautions, such as wetting, applying dust suppressants, or covering the load when transporting material likely to give rise to airborne dust;

[A.A.C. R18-2-605.B]

- (5) Take reasonable precautions, such as the use of spray bars, wetting agents, dust suppressants, covering the load, and hoods when crushing, handling, or conveying material likely to give rise to airborne dust;  
[A.A.C. R18-2-606]
- (6) Take reasonable precautions such as chemical stabilization, wetting, or covering when organic or inorganic dust producing material is being stacked, piled, or otherwise stored;  
[A.A.C. R18-2-607.A]
- (7) Operate stacking and reclaiming machinery utilized at storage piles at all times with a minimum fall of material, or with the use of spray bars and wetting agents;  
[A.A.C. R18-2-607.B]
- (8) Any other method as proposed by the Permittee and approved by the Director.  
[A.A.C. R18-2-306.A.3.c]
- (9) Operate mineral tailings piles by taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Reasonable precautions shall mean wetting, chemical stabilization, revegetation or such other measures as are approved by the Director.  
[A.A.C. R18-2-608]
- (10) The Permittee shall take reasonable precautions, such as the use of dust suppressants, before the cleaning of a site, roadway, or alley. Earth or other material shall be removed from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water or by other means.  
[A.A.C. R18-2-804.B]

## 2. Air Pollution Control Requirements

### Haul Roads and Storage Piles

*Water, or an equivalent control, shall be used to control visible emissions from haul roads and storage piles.*

[A.A.C. R18-2-306.A.2 and -331.A.3.d]

[Material Permit Condition is indicated by underline and italics]

## 3. Monitoring and Recordkeeping Requirements

- a. The Permittee shall maintain records of the dates on which any of the activities listed in Condition V.B.1.b above were performed and the control measures that were adopted.  
[A.A.C. R18-2-306.A.3.c]

- b. Opacity Monitoring Requirements

Each month, the Permittee shall monitor visible emissions from fugitive sources in accordance with Condition I.A.

[A.A.C. R18-2-306.A.3.c]

4. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-604, -605, -606, 607, -608, -614, and -804.B.

**VI. OTHER PERIODIC ACTIVITIES**

**A. Abrasive Blasting**

1. Particulate Matter and Opacity

a. Emission Limitations/Standards

- (1) The Permittee shall not cause or allow sandblasting or other abrasive blasting without minimizing dust emissions to the atmosphere through the use of good modern practices. Good modern practices include:
- (2) Wet blasting;
- (3) Effective enclosures with necessary dust collecting equipment; or
- (4) Any other method approved by the Director.

[A.A.C. R18-2-726]

b. Opacity

The Permittee shall not cause, allow or permit visible emissions from sandblasting or other abrasive blasting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

2. Monitoring and Recordkeeping Requirement

Each time an abrasive blasting project is conducted, the Permittee shall make a record of the following:

- a. The date the project was conducted;
- b. The duration of the project; and
- c. Type of control measures employed.

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with this Section shall be deemed compliance with A.A.C. R18-2-702.B.3 and -726.

[A.A.C.R18-2-325]

**B. Use of Paints**

**1. Volatile Organic Compounds**

**a. Emission Limitations/Standards**

- (1) While performing spray painting operations, the Permittee shall comply with the following requirements:
- (2) The Permittee shall not conduct or cause to be conducted any spray painting operation without minimizing organic solvent emissions. Such operations, other than architectural coating and spot painting, shall be conducted in an enclosed area equipped with controls containing no less than 96 percent of the overspray.  
[A.A.C.R18-2-727.A]
- (3) The Permittee or their designated contractor shall not either:
  - (a) Employ, apply, evaporate, or dry any architectural coating containing photochemically reactive solvents for industrial or commercial purposes; or
  - (b) Thin or dilute any architectural coating with a photochemically reactive solvent.  
[A.A.C.R18-2-727.B]
- (4) For the purposes of Condition VI.B.1.a(2), a photochemically reactive solvent shall be any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in Condition VI.B.1.a(3), or which exceeds any of the following percentage composition limitations, referred to the total volume of solvent:
  - (a) A combination of the following types of compounds having an olefinic or cyclo-olefinic type of unsaturation-hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones: 5 percent.
  - (b) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.
  - (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.  
[A.A.C.R18-2-727.C]

- (5) Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the groups of organic compounds described in Condition VI.B.1.a(3), it shall be considered to be a member of the group having the least allowable percent of the total volume of solvents.

[A.A.C.R18-2-727.D]

b. Monitoring and Recordkeeping Requirements

- (1) Each time a spray painting project is conducted, the Permittee shall make a record of the following:
- (a) The date the project was conducted;
  - (b) The duration of the project;
  - (c) Type of control measures employed;
  - (d) Safety Data Sheets (SDS) for all paints and solvents used in the project; and
  - (e) The amount of paint consumed during the project.

- (2) Architectural coating and spot painting projects shall be exempt from the recordkeeping requirements of Condition VI.B.1.b(1).

[A.A.C. R18-2-306.A.3.c]

c. Permit Shield

- (1) Compliance with this Section shall be deemed compliance with A.A.C.R18-2-727.

[A.A.C.R18-2-325]

2. Opacity

a. Emission Limitation/Standard

The Permittee shall not cause, allow or permit visible emissions from painting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

b. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C.R18-2-702.B.3.

[A.A.C. R18-2-325]

C. Demolition/Renovation - Hazardous Air Pollutants

1. Emission Limitation/Standard

The Permittee shall comply with all of the requirements of 40 CFR 61 Subpart M (National Emissions Standards for Hazardous Air Pollutants - Asbestos).

[A.A.C. R18-2-1101.A.12]

2. Monitoring and Recordkeeping Requirement

The Permittee shall keep all required records in a file. The required records shall include the “NESHAP Notification for Renovation and Demolition Activities” form and all supporting documents.

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-1101.A.12.

[A.A.C. R18-2-325]

**ATTACHMENT "C": EQUIPMENT LIST**

<b>EQUIPMENT TYPE</b>	<b>MAX. CAPACITY</b>	<b>MAKE/ MODEL</b>	<b>SERIAL NUMBER</b>	<b>DATE OF MFG.</b>	<b>EQUIP ID</b>
Gasoline/Crude Oil Storage Tank	25,000 Gallons	We-Mac/T-3	593201	2003	Tank #1
Gasoline/Crude Oil Storage Tank	670,000 Gallons	UltraFlote Aluminum/ Pontoon	001	2002	Tank #2
Diesel Storage Tank	845,000 Gallon	UltraFlote Aluminum/ Pontoon	002	2002	Tank #3
Hydrocarbon Vapor Combustion Burner	1,009 Btu/scf	LH Vapor Combustion System/ John Zink	003	2001	VCU